

Customer No.: 31561
Application No.: 10/709,468
Docket No.: 13050-US-PA

To the Drawings:

Please replace FIG. 2C with the new replacement sheet, in which legends 252, and 254 are given to mark the rear sound enclosure in details.

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REMARKS

Applicants submit that the specification has been amended, support for which can be found in the drawings. Specifically, as shown in FIGS. 2B and 2C, the rear sound enclosure includes into two portions, a first portion and a second portion. The first portion spatially extends along the rear cover, and the second portion spatially extends perpendicular with the rear cover. In such a manner, the rear sound enclosure has an "L" shaped side cross section, contributed by the first portion and second portion respectively. Accordingly, the drawing FIG. 2C has also be amended to have corresponding legends marked to corresponding items, i.e., the first portion and the second portion. Claims 1, 6, and 11 have been amended, in which claim 1 is amended to include subject matter of originally filed claim 3, and relies on the allowability thereof, and support for the amendments to claims 6 and 11 can be found in the specification, i.e., paragraph [0030], and the drawings, specifically FIGS. 2B and 2C. Claim 3 has been canceled accordingly.

Claim Rejections 35 U.S.C. 102

Claims 1-2, 6-7, and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hawker (US Pat. 5,790,679).

In response to the rejections thereto, Applicants have amended claims 1, 6, and 11, and hereby otherwise traverse these rejections. As such, Applicants submit that the present invention, as set forth in claims 1-2, 6-7, and 11-12 is novel and unobvious over

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Hawker, or any of the other cited references, taken alone or in combination, and thus should be allowed.

Claim 1 has been amended to include allowable subject matter contained in originally filed claim 3. The patentability of claim 1 and its dependent claim 2, as currently amended, relies on the allowability of originally filed claim 3, which is to be further discussed in the next section about the 103 rejections.

With respect to claim 6, as currently amended, recites in parts:
A speaker module ... comprising:

...
the rear sound enclosure comprising a first portion formed extending along the rear cover, and a second portion formed extending perpendicular with the rear cover
...

Applicant submits Hawker failed to teach, suggest, or disclose, a speaker module comprising "a rear sound enclosure, comprising a first portion formed extending along the rear cover, and a second portion formed extending perpendicular with the rear cover" as required by claim 6.

Likewise, claim 11, as currently amended, recites in parts:

An electronic device at least comprising a speaker module, said speaker module including
...
a rear sound enclosure having an "L" shaped side cross-section being formed between said rear cover and said speaker module frame.

Applicant submits Hawker failed to teach, suggest, or disclose, a speaker module comprising "a rear sound enclosure having an "L" shaped side cross-section being formed between said rear cover and said speaker module frame" as required by claim 11.

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Therefore, for at least the foregoing reasons, Applicants submit that Hawker fails to teach each and every elements of the claimed invention, as set forth in claims 6 and 11. As such, claims 6, 11 and its dependent claims 7 and 12 are submitted to be novel and unobvious over Hawker, or any of the other cited references, taken alone or in combination, and thus should be allowed.

Claim Rejections 35 U.S.C. 103

Claims 3, 8 and 13 are rejected under 35 U.S.C. 103(a) as unpatentable over Hawker (US Pat. 5,790,679) in view of Dyer (US Pat. 6,688,421).

In response to the rejections to claims 3, 8 and 13, Applicants hereby otherwise traverse these rejections. As such, Applicants submit that claims 3, 8 and 13 are novel and unobvious over Hawker, Dyer, or any of the other cited references, taken alone or in combination, and thus should be allowed.

The Examiner admitted that "Hawker fails to teach wherein said speaker module frame includes a plurality of positioning slices extending from a sidewall of said accommodating hole to a center of said accommodating hole for positioning said microspeaker" (Page 3 of the current Office Action). The Examiner then cited Dyer as a second reference to modify Hawker, in order to arrive at the present invention. The Examiner contended: "Dyer teaches a speaker module frame including a plurality of positioning slices (350) extending from a sidewall of said accommodating hole (104) for positioning a speaker (col. 4, lines 21-40). Applicants respectfully disagree.

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Hawker teaches "[R]etention flaps 350 protrude from the edges of cavity 104 ..." (col. 4, lines 22-23). Applicants submit that it is well known that an edge is a line or border at which a surface terminates, while a sidewall is presented as a surface being extended, from which the positioning slices are extended, as required by claims 3, 8, and 13. Since the present invention, as set forth in claims 3, 8 and 13 requires the positioning slices extending from the sidewall itself, rather than from an edge of the sidewall, it is patentable and distinctive from what is taught by Dyer.

Further, Applicants submit that the allowable subject matter of claim 3 has been added to claim 1, while claim 3 has been canceled accordingly. Claim 1 is submitted to be allowable as currently amended.

Claims 4-5, 9-10, and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawker in view of Croft (US 2002/0191808).

In response thereto, Applicants submit that claims 4-5, 9-10, and 14-15 depend on allowable independent claims 1, 6, and 11 respectively, and thus should also be allowable.

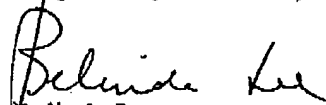
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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1, 2, and 4-15 are in proper condition for allowance and an action to such effect is earnestly solicited. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,


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